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ABSTRACT

Provoking violent controversy, Susan Sontag's speech, "The Lesson of Poland," is an example of subversive rhetoric. Delivered at a February 6, 1982, show of support for the recently oppressed Polish people, Sontag's speech, like other modernist writing, did not seek a consensus with the audience, but challenged its whole scheme of values. Exhibiting the three characteristics of subversive rhetoric--anti-ethos speaking, the "devil theory" of persuasion, and pervasive irony--Sontag redefined Communism, equating it with fascism and giving it satanic traits; condemned the hypocrisy of capitalist nations; and criticized the Left for not taking an anti-Communist stand. She accused partisans--and, ironically, herself--of smug self-righteousness. Her speech was, in effect, an effort to shock captive minds out of old habits of thought and worn-out rhetoric. Her decision afterward to copyright her remarks and delete a portion from the text she authorized for publication, raised debate over copyright law provisions and First Amendment rights of newspapers, and caused condemnation of her ostensible motives to "purge" and "copyright" the truth. (MM)

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Understanding Susan Sontag's Critique of Communism and the Democratic Left: Confession? Conversion? Conundrum?

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Presented to the Qualitative Studies Division, Association for Education in Journalism and Mass Communication Annual Convention, Corvallis, OR, Aug. 1983.



Understanding Susan Sontag's Critique of Communism and the Democratic Left: Confession? Conversion? Conundrum?

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ABSTRACT

The study is a rhetorical analysis of Susan Sontag's speech, "The Lesson of Poland," delivered February 6, 1982, in which she condemned the martial law crackdown and sharply criticized the democratic Left's attitude toward Communism. The speech is worthy of criticism because it has: been regarded as significant; drawn widespread notice and comment in both the mass and elite media; generated widespread controversy.

The speech is especially worthy of critical study because it does not fit the public's normal expectations about what speakers and speeches do. This paper argues that, characteristically, Sontag spoke as much to create an exigence, as to resolve one through rhetorical discourse. As a result, much of the controversy surrounding her remarks reflected confusion and disagreement concerning what kind of speech it was and what it sought to accomplish.

First, the paper explains how the speech produced conflicting interpretations, and second, it offers a more general analysis of "how the speech works." The speech exemplifies major features of a genre of "subversive" rhetoric, but a full understanding requires going beyond identification of its formal features to achieve an integrated understanding of the whole rhetorical act. Kenneth Burke's notion of "dialectic substance" is helpful to doing so.

The analysis leads to two conclusions: (1) seen from the perspective set forth, the speech loses its enigmatic quality and becomes a coherent rhetorical act; (2) it probably requires use of non-conventional criteria of evaluation, to determine whether the discourse succeeds in producing the exigence it sought to create, rather than in resolving some pre-existing exigence.

An Afterword discusses tensions between Copyright Law Fair Use Doctrine and First Amendment rights of newspapers that shed light on why copyright infringement experts were divided on the merits of a $50,000 suit Sontag brought against a small press for printing nearly the entire text of her remarks without her permission. Because Sontag moved quickly to copyright her remarks, to delete a portion from the text she authorized for publication in The Nation, her actions raised debate over copyright law provisions, First Amendment rights of newspapers, and condemnation of her ostensible motives to "purge" and "copyright" the truth.

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Understanding Susan Sontag's Critique of

Communism and the Democratic Left:

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> In some cultural contexts, interpretation is a liberating act. It is a means of revising, of transvaluing, of escaping a dead past.[1]

The dramatic politics Susan Sontag staged[2] the night of a New York Solidarity rally for Poland's independent trade union movement are worthy of critical examination. Sontag's speech criticizing the American left's attitude toward Communism was widely regarded as significant and ignited a brushfire of attacks across the political spectrum.

The significance of Sontag's action rises and falls with the particular predispositions of those who interpret her speech, but it attracted widespread notice and comment in both the mass and elite media. Dierdre English observed that, "Predictably, Sontag's remarks excited the ears of the press and were covered from The New York Times and The Washington Post to the San Francisco Chronicle as if they constituted the ultimate challenge to the left."[3] Time magazine reported the "shaking up" Sontag's listeners experienced, making them, in the words of one wag, "see red."[4] According to The Nation editors, Sontag's speech "abruptly" and "rudely" disrupted "a wide consensus" in her audience.[5] Another report saw the speech as a sign of "the splintered left seeking new direction" and that "the Communist Party USA is badly out of step with its comrades, since the party support[ed] the military regime in Poland, while leftists here, as well as in other Western Communist parties, oppose[d] the crackdown."[6] Many who wrote about the speech and the





event cast it up as one more telling of the speaker (Sontag) than stimulating its hearers to "rethink" their position, "to abandon old and corrupt rhetoric," and "to tell the truth" as Sontag urged them.[7] Because she moved quickly to copyright the speech and to delete a portion from the text she authorized for publication in The Nation, her actions raised debate over copyright law provisions, First Amendment rights of newspapers, and condemnation of Sontag's ostensible motives to "purge" and "copyright the truth."[8] The speech has been cited as an example of lawful political dissent now threatened by Congresional stirrings to rewrite FBI guidelines so that investigation of radical groups need not be based on suspicion of criminal activity, but on political positions.[9] Thus, the speech takes on added significance in the context of debate over whether the Government will once again covertly investigate radical groups.

The speech is especially worthy of critical study because it did not fit the public's normal expectations about what speakers and speeches do. As a result, much of the controversy surrounding the event reflected confusion and disagreement concerning what kind of speech it was and what it sought to accomplish. Letter writers, who may be seen as co-rhetors and meaning builders in the rhetorical transaction, generated a flurry of polemic and sharply divided responses, printed mainly in The Nation and the Village Voice. An example is Bruce Cumings' characterization of Sontag as "one more voice among the many since the mid-1970's bespeaking the move from radical chic to conservative chic among so many American intellectuals."[10] More than a few saw a reactionary turnabout in Sontag to ". . . a new difficult life as an anti-Communist."[11] There was a repeated tendency to label the speech "a stirring mea culpa,"[12] or "a recantation by a minor celebrity"[13] that few should find compelling. Others called it a "nostra culpa," or so-called

apologia for the left, reflecting "an invitation to jump aboard the bandwagon of guilt,"[14] constituting "an open confession of guilt,"[15] and employing the "tactics of collective guilt."[16] Ralph Schoeneman called Sontag's speech "a jejune performance."[17] He added, "What was particularly unnerving to those who have known Sontag well, and who have been involved with her in past efforts to defend those under attack in 'Communist' states, is the sense that she was confessing to things of which she has not been guilty."[18] Still another interpretation was that of Joseph Brodsky: "Since her main purpose was to bail the American left out of the hopeless swamp of its intellectual provincialism, the resistance she has encountered is breathtaking."[19] My own interpretation is that Sontag sought to provocatively engender self-critique among partisans, hopefully launching debate productive of renewal and redirection. On the basis of some audience interpretations, her efforts proved fatal; others saw it as a healthy corrective. But on the face of it, Sontag's speech appeared to be a conundrum.[20]

This essay first explains how the speech produced conflicting interpretations and second, offers a more general analysis of "how the speech works." Before beginning the analysis, it is necessary to review some important features of the speaker and the speech.

Sontag's Criticism

Sontag's social criticism often travels a trajectory to outrage and back.[21] Anyone familiar with her past rhetoric knows the response her discourse characteristically invites is discomforting. As Elizabeth Bruss recently observed, "There is always controversy, dissension, cries of pain, and outrage"[22] when Sontag advances her claims. Presumably, Sontag had a measure of credibility with the audience she addressed or she wouldn't have been invited to speak. She has built a partisan reputation on the basis of such



critical essays and books as Against Interpretation (1966),[23] Styles of Radical Will (1968),[24] "Trip to Hanoi,"[25] and "Fascinating Fascism" (1974).[26] She has often celebrated revolutionary movements, self-consciously confronted her own sense of being privileged, and addressed unswervingly modernist themes. These include: alienation, deracination, powerlessness, blockage of perception and communication, death of relationship, rage for transformation, search for new consciousness, and the bourgeois West as disease and moral collapse.[27] Sontag has characterized her ongoing critical project as always "stalking" the idea of modernity—the relationship between moral and aesthetic ideas. And, she added, "I'm still only interested in writing about hard cases."[28]

While enjoying a measure of valued identification with the American left, Sontag, however, has not been without critics. Some have seen in her work "trendiness," "thinness of experience," and "a lack of conversance with common life."[29] As a representative of the modernist avant garde, she has always ignored convention, challenged authority, defied taboos, and risked punishment. But perhaps the "Lesson of Poland"—as she titled her remarks examined here—is the consequences of willfully risking outright provocation of one's audience. For, in retrospect, the chastising her audience allegedly suffered seems less punishing than the effects of her performance on herself. She said recently in the New York Times:

> I have gotten so many grotesque attacks as a result of this Poland speech. They're violent, sneering, vituperative in a way which is very different from expressing strong disagreement. I'd never been the object of it before. I have been persuaded, rather reluctantly, that some of this publicity is just the inevitable kind of nastiness that people unleash on you when they feel you have gotten too much approval.[30]

Clearly, Sontag has suffered public vilification. Less clear is that reasons for this stem from reaction to "too much approval." Stanley Aronowitz for

example, claims that over the past 20 years Sontag's career as "an enfant terrible of the literary establishment, a passionate defender of high art, and a defender of some pop art," has been "the major American example of Critic as Star."[31] He sharply criticized her newest publications, saying he was struck by "the obsolescence of modernism."[32] Echoing him, Walter Kendrick said, "This fully established American figure" . . . "is ready for the archive."[33] By these lights, we can speculate that Sontag's Town Hall speech may be a focal point for some critics' need to see her stellar image as dimmed.

Sontag's self-proclaimed politics are "social democrat."[34] She has referred to herself as "an unaffiliated radical American,"[35] "always—virtuous label—an anti-Stalinist"[36] and described by others as "long a critic of the Soviet Union as a perversion of Marxism."[37] While the outrage she provoked with this current speech seemingly suggests her ethos broke with prior expectations and reputed loyalties, my own interpretation suggests that she has not acted out of character, but ironically continues in a provocative vein so characteristic of her criticism. Her critique of Communism and her invitation to the Left to examine its own record, I'd argue, only accords with rather than breaks with her past views. Readers familiar with Sontag frequently cite her famous essay, "Trip to Hanoi," a record of her excursion behind enemy lines in 1968. In it she wrote:

> It's second nature for me to suspect the government of a Communist country of being oppressive and rigid, if not worse . . . .
>
> My consciousness . . . is a creature with many organs, accustomed to being fed by a stream of cultural goods and infected with irony. While I don't think I'm lacking in moral seriousness, I shrink from having my seriousness ironed out; I know I'd feel reduced if there was no place for its contradictions and paradoxes, not to mention the diversions and distractions. Thus, the gluttonous habits of my consciousness prevent me from being at home with what I most admire, and—for all my raging against America—firmly unite me to what I condemn.[38]





If it is true that Sontag was indeed "breaking ranks"[39] as she described her performance at Town Hall in a recent interview, perhaps her audience did not know their speaker as well as they imagined, for neither was she polevaulting to the political right.

Sontag's modernist orientation repudiates any simple response from an audience. Far from seeking consensus with one's audience, modernist works aim at challenging their whole scheme of values. They seek a more critical consciousness. Sontag has written that consciousness conceived of as a project, condemns the "work" to be incomplete, gives rise to anti-genres, and is self-cancelling, thought that undoes itself.[40] An experimental fervor searching for alternative forms within which to express a sensibility of a changed relationship to the world characterizes the modernist tradition, beginning in art in the mid—1800s and appearing in literary work shortly after the turn of the century. Although futile to attempt to characterize modernism's essential features (since the term "modernism" applies to an immense variety of works in all the arts), nonetheless they share and "emphasize a shift in concentration from the [objective] representation of the external world to a reflection of the texture of consciousness. [They assert] the mind's activity in perceiving the world as constituting a, perhaps the, most important area of novelistic inquiry . . . ."[41] Peter Faulkner, for example, describing the work of Virginia Woolf, writes:

> Consciousness, as James and Joyce had shown before her, is not the passive reception of impulses from the outer world but is creative; perception itself, not just its representation in novels, is intentional, implying the activity of making meaning, structuring reality . . . . . It is not simply a problem of the artistic temperament's will to form which belies or distorts the 'phantom,' the flux of reality; it is the very act of perception, of consciousness, of understanding world, which involves structuring . . . .[42]

In short, a major preoccupation of the modernist explorers of consciousness was and is the recognition that, as Gombrich asserts in Art and Illusion: "'There is no reality without interpretation.'"[43] The gap between the world and the world as it is perceived is the problematic with which the modernist grapples. Language, and the nature of human discourse, are frequent themes, since language is the medium within which the mind exists.

Sontag's writing reflects these themes as well as other symptoms of the modernist sensibility: it is highly individualistic, subjective, and unremittingly self-conscious, at once creative and destructive. It eschews "dead" conventions, literary norms, and prescriptions. Juxtaposition is a frequent organizing principle and above all, experimentation in style and technique characterize the enterprise.[44] In the past, Sontag has set out "to determine how personal experience, literary genres, political rhetoric, and historical contextuality are mediated by one another in the writing situation."[45] Recently, she wrote, ". . . the concept of art imposed by the triumph of modernism [demands that] the better the art, the more subversive it is."[46]

The Setting

Turning now to essential features of the speech setting, at the outset it is necessary to emphasize that this was a gathering of partisans, meeting in a forum intended to demonstrate solidarity with the recently oppressed Polish people. Martial law had been imposed eight weeks earlier, December 13, 1981. A secondary purpose of the rally, according to The Nation editors was, "to transcend the handwringing of the Reagan Administration" and "to create some distance between radical Americans" and the Administration's "evident hypocrisy of 'Let Poland be Poland'" when it wouldn't "'Let El Salvador be El Salvador.'"[47] Sontag's speech suggests her purposes for speaking, as expressed, were in accord with audience expectations. However,





in an interview published ten months after the event, Sontag added this:

> The real story about Town Hall is that the writers who came there didn't do anything. They just came as a good deed. Gore Vidal and I had been chatting in the green room, and he saw that I had something written, and he said, 'Oh, I don't have anything written—I don't even know what I'm going to say.' He was first on the program and he got up and told a couple of Reagan jokes. His first sentence was, 'My heart is cool, but my head is empty.' I didn't stay past my own contribution, but I heard that Doctorow, Vonnegut, and Ginsberg also said nothing. Of the writers, I think I was the only person who said anything. I said something I wasn't supposed to say, and I knew what I was doing. The idea of it is you were supposed to be a good guy and be mobilized for the pro-Poland rally on Feb. 6 and the antinuclear rally on June 12. I didn't want to do that anymore. That was deeply resented, and that was the first wave of reaction on the part of the so-called left.[48]

Determining just what Sontag did say is difficult, particularly in light of the tell-tale quote she deleted or revised in her authorized version, submitted to The Nation. In a headnote to the authorized version, Nation editors wrote:

> With her permission, we reprint her version of the speech so that readers can form their own opinions about it. But those attending the meeting, as well as the Soho News which reprinted the speech without obtaining the author's permission, agree that she also said the following:
>
> > Imagine, if you will, someone who read only the Reader's Digest between 1950 and 1970, and someone in the same period who read only The Nation or the New Statesman. Which reader would have been better informed about the realities of Communism? The answer, I think, should give us pause. Can it be that our enemies were right?[49]

Textual authenticity may never be resolved since Sontag subsequently sued the Soho News for $50,000, claiming copyright infringement and asking that all copies of the paper's February 16, 1982 edition be impounded.[50]

The Speech

A brief description of the content of the speech includes a clearly

discernable Hegelian dialectic of thesis, antithesis, synthesis. The first third of the speech establishes her major claim that, the "chorus of virtuous indignation" voiced by "dozens of governments in the rich world" is contradicted by actions that reflect "business as usual," not only with the Soviet Union, but with the Polish military regime.[51] Their ostensible hypocrisy is evidenced by minor economic, diplomatic, cultural, and tourist sanctions while the call for "Solidarity with Poland, solidarity with Solidarity" resounds through public meetings "in every major city in Western Europe and a few in North America." Sontag concludes, "That is the kind of retaliating the Western democracies are prepared to make for the enslavement of Poland. That . . . and a lot of rhetoric."

Against this thesis, she enjoins her immediate audience to "distinguish our position from the official hypocrisies." She hopes that "we not let our sense of whom we oppose on our side of the frontier between capitalism and Communism lead us into certain hypocrisies and untruths." But she goes on to argue that many in her audience, governed by the wish "not to give comfort to 'reactionary' forces," have "willingly or unwittingly told a lot of lies." The Left's transgression has been their "unwillingness to identify ourselves as anti-Communists . . . ." She wishes to "challenge" the view that "the anti-Communist position seems already taken care of by those we oppose at home." She goes on to argue that the "principle lesson" of the Polish events is "the failure of Communism, the utter villainy . . . of the system." She is struck by "how long it has taken us to learn" this "hard lesson." She recounts, as example, her own "troubled" response to Czelaw Milosz' The Captive Mind, published in 1953, telling of the "dishonesty," and "coerciveness" of "intellectual and cultural life in Poland in the first years of Communism . . . ." Sontag regarded it as "an instrument of cold war





propaganda," aiding and comforting "McCarthyism." Recently, on the eve of a visit to that country, she "re-read it (for the first time)" and concluded, "But it's all true." If anything, in her opinion, Milosz "underestimated the disgrace of the Communist regime installed by force in his country."

She accuses the Left of not having "ears" for the truth that Milosz and other émigrés from Communist countries had been telling us. Her reasons for this are the Left's identification of fascism as the enemy; of hearing the demonic language of fascism and applying "a double standard" to the "angelic language of Communism;" and, of now taking another line. "Now it seems easy to do so." Why, when "horrors exactly like, no far worse than, the horrors now taking place in Poland" had they not met to protest and express indignation? Part of the problem she suggests was the Left's smug certitude of whom their enemies were. Despite the "rightness" of many of their mutual (Sontag's and her audiences') views and aspirations, "we were not responding to a large truth. And we were countenancing a great deal of untruth." The émigrés had found it "far easier" to get published in the Reader's Digest than in The Nation or the New Statesman. If the Left had loved justice, they had not "loved the truth enough." Their priorities were wrong. Although they had tried to distinguish among Communisms ("Stalinism" was disavowed as an "aberration"], they praised "other regimes, outside of Europe, which had and have essentially the same character." The result was "that many of us, and I include myself, did not understand the nature of the Communist tyranny."

The final third of the speech effects a synthesis of sorts, equating Communism with Fascism, and establishing thereby a position by which the Left can expiate their identification with the source of oppression in the immediate situation and acknowledge their tacitly held anti-Communist attitude. Communism, she claims, is "fascism . . . with a human face."

"Subversive" Rhetoric

Predictably, the speech generated conflicting interpretations of just what Sontag said and what she meant. This is so because the speech exemplifies the major features of an unconventional rhetorical form—subversive rhetoric. Here, I risk being anti-modernist by employing a motivational genre to characterize Sontag's rhetoric. "Subversive" rhetoric has been identified by Walter Fisher,[52] derived from Kenneth Burke's rhetorical theory. I think it discloses, more than it imposes, key features of Sontag's speech. Nonetheless, her rhetoric only loosely conforms to Fisher's framework and deviates notably from more typical instances of this genre which attack authority by alleging "the existence of a conspiracy to destroy the true will of right-thinking people."[53]

Rhetoric of "subversion" occurs when a communicator attempts to weaken or destroy an image. Key features include: (1) anti-ethos speaking, or the attempt to undermine the credibility of some person, idea, or institution; (2) use of the 'devil theory' of persuasion, where the strategy is to make man, idea, or institution consubstantial with Satanic attributes or intentions; and (3) the use of irony as an archetypal pattern.[54] Fisher adds that the use of the subversive style in American politics is both persistent and prominent, as well documented by Historian Richard Hofstadter.[55]

A principal way Sontag's subversive rhetoric differs from conventional rhetorical practice is by seeking to create, rather than to resolve, an exigence through rhetorical discourse. It also serves to shock, to destabilize, to disrupt, and to challenge habits of thought, rigidities, commonplaces, and stereotypic or dogmatic thinking. Hence, it may provoke fresh thought or further debate. Sontag wrote:





> Speech can enlighten, gratify, grieve, stun, animate. While language is regularly used to inspire to action, some verbal statements, either written or oral, are themselves the performing of an action . . . . Another use of speech, if anything more common than that of provoking actions, is to provoke further speech.[56]

Anti-Ethos Speaking

The anti-ethos character of Sontag's speech spares few of the parties to the event. Principally directed at the image of Communism, it permeates as well her characterization of capitalism, Reagan, the Administration, the entire political and economic leadership of capitalist Europe and North America, the French in particular, the democratic Left, and finally, ironically, herself. Poland, she argues, "was not just done in by a fascist coup engineered by the Soviet Union . . . . Banks and tanks did Poland in . . . ." Western capitalism bears responsibility, in her view, because the Polish debt continues to be refinanced, grain continues to be sold to the Soviets, and the French, "the most eloquent hypocrites" of all, signed a "vital commercial treaty" with the Soviet Union only weeks after the Polish events. Reagan is singled out as "the union buster;" the "puppet master of the butchers in El Salvador." His administration demonstrates its "utter hypocrisy" by calling for Solidarity with the Polish people, and ostensibly retaliates against the "junta" with minor sanctions. As for her partisans, she accuses them of smug self-righteousness; of turning a deaf ear to reports of émigrés; of ostensibly loving justice more than truth; of focusing, historically, on fascism as the enemy, while applying a double standard to Communism; of denouncing "Stalinism," but "praising other regimes outside of Europe which had and have essentially the same character." Finally, because Sontag strives, repeatedly, to identify herself with her audience, she invokes her own habits of thought, impressions, and actions and indicts her own as well as her audience's ethos.

This impulse to undermine is characteristic of Sontag's rhetoric, as noted in Elizabeth Bruss' observation of Sontag's On Photography: "The flush of running up against an orthodoxy, defying taboos, and risking punishment is part of [its] gaiety and reckless energy . . . ."[57] At the same time, it is not a strategy incautiously chosen in the spirit of controversy for controversy's sake. Sontag's juxtaposing of oppositions, playing them off against one another, and calling into question the very stability of the antitheses seems to be a characteristic mode of reasoning by which her arguments proceed. Within the larger structural dialectic of the speech's form, her argument proceeds by exploring the oppositions between truth and hypocrisy, appearance and reality, Right versus Left, hard lessons versus complacent attitudes, success versus failure, Communism versus Fascism, etc. Note too that Sontag doesn't oppose only positive terms, but uses negation as well: truth, untruth, etc. These promote in listeners' minds further distinctions than simple bipolar oppositions.

The Devil Theme

The principal target of her invective, however, is the image of Communism and the strategy she employs extensively equates its image with Satanic attributes or intentions. The "devil theme" emerges gradually in her references to Communism, about one third into the text and in close proximity to her reference to McCarthyism. The Left she argues, didn't have ears for the 'truth' of communist émigrés, in part due to their identification of fascism as the enemy. "We heard the demonic language of fascism. We believed in, or at least applied a double standard to the angelic language of communism." As the speech progresses, these are the attributes she ascribes to Communism: "the failure," "the utter villainy . . . of the system," "dishonesty," "coerciveness," "disgrace," "installed by force," "angelic language of Communism," "tyranny,"





"normal pretenses of Communist ideology," "Draconian measures," "unliveable," "the present Government has . . . offered fascist rule a whole arsenal of new techniques," "Communism is fascism--successful fascism," "a variant, the most successful variant, of fascism," "Fascism with a human face." Attitudes of those critics who would retain distinctions between "good" Communism and "bad," she labels as "dishonest," "demagogic," "untrue," "deeply complicitous with tyranny," and "last, but hardly least, not in the interests of the democratic left."[58] No doubt, the devil theme, the ostensible flirtation with the rhetoric of McCarthyism, is one of the principle bases upon which some listeners began to regard Sontag as moving behind "enemy" lines, bedeviling former admirers, and taunting unsuspecting hearers that Sontag's language play was motivated by anything other than straightforward expression. But she is also being more than playful. In a recent essay she wrote:

> Syberberg proposes that we really listen to what Hitler said--to the kind of cultural revolution Nazism was, or claimed to be; to the spiritual catastrophe it was, and still is. By Hitler, Syberberg does not mean only the real historical monster, responsible for the deaths of tens of millions. He evokes a kind of Hitler substance that outlives Hitler, a phantom presence in modern culture, a protean principle that saturates the present and remakes the past.[59]

I would argue that Sontag's fascination with fascism (at once a strange attraction to it and repulsion by it), her attempt to evoke the notion of a Hitler "substance" as a cultural 'phantom' saturating the present and remaking the past, floods her thought and motivates her characterization of the concrete practices of the Jaruzelski "junta." She elaborates her use of the term "fascist" this way:

> At the beginning I called the brutal oppression under which the people of Poland are languishing "fascist." This is true in the sense that all the normal pretenses of Communist ideology have been abandoned. The methods and even the language are those of fascism: the demand for "normalization"

> and "order," the relegitimizing of anti-Semitism, military rule presented in the guise of a "Committee for National Salvation." The similarities between the Polish military junta and the right-wing dictatorships in . . . South American countries are obvious . . . . The present government has not only adopted the standards of fascist rule; it has offered fascist rule a whole arsenal of new techniques.
>
> All this is obvious, or almost, when one uses the word "fascist" to describe the present Polish government. But I mean to use the word in a further sense. What the recent Polish events illustrate is something more than that fascist rule is possible within the framework of a Communist society, whereas democratic government and worker self-rule are clearly intolerable--and will not be tolerated. I would contend that what they illustrate is a truth that we should have understood a very long time ago: that Communism is fascism--successful fascism, if you will.

If it looks like fascism, it sounds like fascism, and acts fascistic, the Communist government is appearing in a guise, she argues; the "name" does not fit the practices. She wishes to unmask it: "Fascism with a human face."

Irony

A third feature of subversive rhetoric is an archetypal pattern of irony. Irony signals a confrontation or juxtaposition of contradictory, incongruous, or otherwise incompatible elements and one should be seen as invalidating the other. Motivating Sontag's remarks, in part, has to be the sheer irony of the situation in Poland, captured this way in an editorial in The New Republic:

> If Karl Marx were alive today, he would not be surprised at what is happening in Poland. Exactly as he predicted a conscious movement of the entire working class, consisting of the great majority of the population, has risen in spontaneous revolt against the exploiters of labor, the owners and administrators of the means of production. As he knew it would be, the character of that revolt is democratic, and, at the same time, desciplined by an awareness of its own interests. Only one thing would astonish Marx about this first genuine proletarian revolution in history: it has occurred against and within a regime that for 35 years has claimed to rule in his name.[60]

Sontag, however, in a reply to her critics, denies that either the Polish Government or Solidarity is "Marxist:"





> Neither the ruling elites nor the enslaved and disaffected people of Eastern Europe can be called "Marxist"; and if and when these oppressed manage to overthrow their tyrants, it will not, I fear, be to embrace an alternative of our liking. The centrality of a particularly fervent Catholicism to Solidarity is not an accident nor an incidence of cultural lag; and, in Russia, among those who are not cynics or merely demoralized, new converts to religious fundamentalism outnumber liberals and democratic socialists a thousand to one.[61]

Hearing these claims, partisans undoubtedly were confused and provoked by Sontag's rhetoric. She spoke in a setting intended to express "solidarity," not only among partisans, some of whom were sympathetic to Marxist ideology, but with the oppressed, as well. Yet, she ostensibly delivers a speech that sounds as if she wishes her audience to pronounce their "anti-Communist" position and thereby, unavoidably, identify themselves with "those they would oppose at home." What is she up to?

Sontag is grappling with a sense of incongruity between the internal and the external, appearance and reality, hypocrisy and truth. Mediating reality is the language that names and structures it, "creating" the objects of perception, but being shaped by those conditions as well. She problematizes the language signs by which her audience carves up the flux of reality, showing that language signs distort the material conditions they represent and that material conditions seem to invalidate the mental concepts historically associated with them, e.g., the Polish government ruling in the "name" of Communism, but acting "fascist." Thus, we may view her rhetoric as an attempt to redraw the contours on the map of consciousness, and to redeem language:

> Language is experienced not merely as something shared, but as something corrupted, weighed down by historical accumulation. Thus, for each conscious artist, the creation of a work of art means dealing with two potentially antagonistic domains of meaning and their relationships. One is his own meaning (or lack of it); the other is the set of second order meanings that both extend his own language and encumber, compromise and adulterate it. The artist ends by choosing

> between two inherently limiting alternatives, forced to take a position that is either servile or insolent. Either he flatters or appeases his audience, giving them what they already know, or he commits an aggression against his audience, giving them what they don't want.[62]

Ostensibly, Sontag chose to commit an aggression upon her audience and, I would further contend, spoke ironically.

According to D. C. Heucke, ironic situations have four requirements: (1) duality; (2) opposition of terms; (3) an element of alazony, which is the victim's confident imperception of or ignorance of there being anything in the situation beyond what s/he sees; and (4) an observer of irony, since irony is in the eye of the beholder.[63] Sontag's recognition of the contradictions in the Polish scene and of the democratic Left's historic, if not current, sympathy with Marx's humane democratic socialism, coupled with its unwillingness to identify with right wing "anti-Communism," leads her to attempt to expose those in her audience who retain distinctions between "good" Communism and "bad," and hence, the public perception of the "hypocrisy" they entertain. In this light, the disputed passage in her speech conveys a different meaning:

> Imagine, if you will, someone who read only the Reader's Digest between 1950 and 1970, and someone in the same period who read only The Nation or the New Statesman. Which reader would have been better informed about the realities of Communism? The answer, I think, should give us pause. Can it be that our enemies were right?

Kenneth Burke observes, "True irony, humble irony, is based upon a sense of fundamental kinship with the enemy, as one needs him, is indebted to him, is not merely outside him as an observer, but contains him within, being consubstantial with him."[64] The internalization of the attitude of the Right, which Sontag's remark ostensibly invites, should not be interpreted as an invitation to the Left to capitulate, but only to "re-think" their position,





particularly their unwillingness or inability to "hear" the truth of émigrés reports about life in Communist countries. Presumably, Sontag wished them to internalize this ostensible contradiction and hence debate and reconcile the incongrous position in which the Left appeared to be. Alazons in her audience, misperceiving her irony, not only could easily reject the assertion that the Reader's Digest was accurate about the "realities" of Communism (since presumably no one on the Left views it as a particularly unbiased report of world affairs), but they also could be inclined to take Sontag's remarks at face value, confidently ignorant that there was anything in the strategy beyond what they heard. But what invites an ironic interpretation has to be the further recognition that Sontag's past ethos, indeed earlier published statements of her view of the Reader's Digest,[65] would hardly suggest that she views it as a credible, un-politically motivated source, either. Rather, she presumably was relying upon her listeners' prior knowledge to contradict this statement mentally or vocally with an emphatic counter assertion. And it is the emphatic counter assertion that would be the ironist's real meaning. If, indeed, the Reader's Digest was just as distorted a source as one with a more liberal orientation, a motivation for the statement could be seen as provoking her audience to debate and to reconcile the incongruity of the position their ideological piety put them in: resisting the opportunity to publish exiles' accounts of Communist life, allowing these voices to be appropriated for the political ends of partisan opponents, and worse, retaining sympathy for an ideology that, in practice, is "betrayed"[66] by those ruling in its name, thereby oppressing a revolutionary proletariat that might have achieved its ideological aims.

A second way irony manifests itself in her speech is in her use of language and the way she presents her case. Heucke tells us one clue to look

for is inconsistency in what the writer tells us and the way s/he presents his or her case. In Sontag's introduction, she denies irony, encouraging her audience to take her words at face value. But she limits her caveat to the immediate observation:

> To protest the Jaruizelski junta is not a difficult position to take. No sentiment could be more mainstream. "Solidarity with Poland, solidarity with Solidarity" is a call launched by dozens of governments in the rich world . . . It is legitimate to ask: What is the point of our meeting? I do not offer this hypothesis with irony.

There is no reason not to interpret other language in her speech as ironical. Cary Nelson argues that the "moral irony" that helps give her voice its special quality" is "reaffirmed each time she isolates either her text's language or her own and makes it problematic, most noticeably with quotation marks or italics."[67] This is just what Sontag does in the speech with the words "fascist," "radical," and "progressive." Further support for the argument that Sontag is being ironic comes from David Kaufer's work on rhetorical strategy and irony.[68] Given that Sontag characteristically exploits opposition, contradiction, and negation as a rhetorical practice, and that she is suggesting in the speech that hypocrisy permeates both official responses to the Polish events and her partisans' unwillingness to identify themselves as "anti-Communist," it is also likely that she recognizes that irony and hypocrisy are opposite forms. Explaining this distinction, Kaufer quotes Kierkegaard:

> . . . Kierkegaard puts the contrast between the eiron and the hypocrite most succinctly: "Irony and hypocrisy [are] opposite forms, but both express . . . the contradiction that the internal is not the external, irony by seeming [making the outer person seem] bad, hypocrisy by seeming [making the outer person seem] good."[69]

From this perspective, we might view Sontag as striking a rhetorical pose at the opposite extreme, as eiron, attempting to move her "hypocritical" partisans





toward the mean—the truth. But doing so, by using a rhetorical form that permits divisive interpretations of her message, Sontag's audience might easily split between those who hear her remarks literally and those who detect the "ironic" voice they hear. Kaufer notes that the very structure of irony can lead to "bifurcated" audiences, those of whom are unaware of the irony risk victimizing themselves by identification with the literal message, while those, understanding the irony, process the message in another way. But he also warns that one should not "conflate" understanding the rhetor's irony and agreement with it. "We understand the irony of the avowed racist should he pretend to speak affectionately of a minority group, but we do not agree with it."[70] Sharing irony only requires speaker and listener to have common knowledge of one another, it does not require that they share agreement in what is ironically communicated. However, unless the ironist provides overt clues to the use of irony, knowing the ironist may be a prerequisite to understanding him or her.[71]

Thus, the novel character of subversive rhetoric invites and thus explains the confusion and disagreement that followed Sontag's speech. But a full understanding of the speech requires that we go beyond listing the speech's formal features to achieve an integrated perspective on the whole rhetorical act. Evidence from Sontag's past writing and Kenneth Burke's views are helpful in developing such a perspective.

Dialectic Substance

The speech manifests those qualities Burke expects to find in rhetorical acts in which purpose is the dominant pentadic element. When purpose is the dominating feature of a speech it implies "dialectic substance" as the philosophic ground of action.[72] Substance is "consciousness as it is enacted in the way people use symbols."[73] Dialectic substance is "created by the ambiguity between the internal and the external" and it "derives its character from the systematic contemplation of the antimonies attendant upon the fact that we necessarily define a thing in terms of something else."[74] As a speaker responds to a situation, his or her internal motivations are shaped by the external phenomena to which s/he responds. These phenomena become real only insofar as they are nameable. By naming a situation, a speaker projects an attitude toward it. Dialectic substance is a naming strategy, and is a more inclusive category of four other sub-strategies, corresponding to the pentadic terms of scene, agent, and agency. They come into focus when different aspects of the dramatic pentad are featured in a speaker's rhetoric: familial, geometric, circumreferential and directional naming. These strategies attribute motive by "allowing the speaker to attitudinize in the very act of pointing out the subject."[75]

Seen from the vantage point of purpose, the rhetorical act becomes one of symbolic liberation by overthrowing an oppressor through the agency of moral irony. Sontag faces a scene of "brutal oppression" permeated by hypocrisies, calling forth an opposing action which casts her in the role of subversive liberator. Her act is an attempt to symbolically overthrow this oppressive state of affairs through the agency of moral irony. Her purpose is to liberate the enslaved by naming and characterizing the enemy. She





redefines the enemy in such a way as to expose its "essentially despotic nature."[76] For as Burke's theory implies, Sontag has argued, "There can be no evidence of an event until the event itself is named and characterized."[77]

By liberating the enslaved, I refer to the democratic Left, whose "captive minds" she seeks to free of old habits of thought and worn-out rhetoric, responsible for errors of perception she maintains has prevented them from seeing, hearing, or speaking the truth. Support for this interpretation comes from her past writing:

> Art becomes a kind of counterviolence, seeking to loosen the grip upon consciousness of the habits of lifeless, static verbalization . . . .
>
> . . . If there are states of false (language clogged) consciousness, there are also authentic states of consciousness—which it is the function of art to promote.
>
> . . . Explicitly in revolt against what is deemed the desiccated, categorized life of the ordinary mind, the artist issues his own call for a revision of language.[78]

From these passages, I would maintain that one draws a fairly stable sense of Sontag's modernist concern with the problems of language, human discourse, and consciousness, revealing a consistent motive at work in her rhetoric: the problematizing of language to seeing, feeling, and thinking in a fresh way about the complexities of reality as it is mediated symbolically. For her, art is a category that exists in time, changing its dimensions and its meaning as the world in which it is situated changes.[79] In other words, the symbolic liberator enacts a purge.

If the democratic left has been unable to hear the "truth" of Communist émigrés, she implies the problem issues in part from the names by which they categorize and divide up reality, the historical accumulation of meanings attached to these signs, and the grip upon consciousness of "lifeless, static, verbalization . . . ." Abandoning "old and corrupt" rhetoric is a means of

redeeming both language and the world:

> . . . the redemption of language (which is to say, the redemption of the world through its interiorization in consciousness) is a long, infinitely arduous task. Human beings are so 'fallen,' that they must start with the simplest linguistic act: the naming of things. Perhaps no more than this minimal function can be preserved from the general corruption of discourse.[80]

Her beginning point, "the starting point of all the lessons to be learned from the ongoing Polish events" is to rename the oppressor: Communism is Facism. If the democratic Left is to demonstrate solidarity with the Polish people, she argues that it must openly renounce the hypocrisy of the Communist system by speaking out against it, purging any silent piety with it, and stating unequivocably its anti-Communist attitude. In this way, perhaps, they may succeed in putting back the humane face on true democratic socialism, or Marxism, which Communist leaders have betrayed. One of her constant mottoes is, "All that is necessary is that we not be hypocritical."[81]

Sontag's action of naming and redefining the oppressor to expose its true nature is accomplished through the equation of Communism with Fascism. Burke says the equation of two terms, whereby one term substantially becomes a participant in the other, "prepares the way for eliminating one of them."[82] In Sontag's rhetoric, characteristically, oppositions are not only destabilized, seen as modifying one another, but often and eventually come to replace one another.[83] One need only trace this progression in her use of the term "fascist" in the speech to see the process in action. Doing so also reveals moments in the cycle of the human drama Burke's theory illuminates: stages of guilt, victimization, purification, and redemption. Some of these interlocking moments are shown below.

Sontag's rhetoric reflects its dialectic substance in verbal action, potentially "shaking up" her audience this way. Through the use of





antitheses, her sentences rock back and forth as if she were attempting to symbolically dislodge her audience, materially, from the rigid position on which it stands. In a metaphorical sense, this pattern strikes blows on two fronts. At once, she is inflating the iniquities she attributes both to herself and to her partisans, and is deflating their ethos:

> Why did we not have a place for, ears for, their truth? The answers are well known. We had identified the enemy as fascism. We heard the demonic language of fascism. We believed in, or at least applied a double standard to, the angelic language of Communism. Now we take another line. Now it seems easy to do so.
>
> . . . despite the rightness of many of our views and aspirations, . . . we were not responding to a large truth. And we were countenancing a great deal of untruth.
>
> We thought we loved justice; many of us did. But we did not love the truth enough . . . . Our priorities were wrong.

This alternation is a not a linear, progressive movement forward, but a redoubling motion, forward and back, illustrating a frequent pattern in Sontag's rhetoric. The function of these antitheses has the capacity to contribute to feelings of discomfort, anger, and a sense of being pulled in two opposing directions, of being two-faced, of being hypocritical.

Another way Sontag's rhetoric contributes to guilty feelings and potentially victimizes her audience is through identification with her as a synedochal representative of the democratic Left. Burke observes that Marxism prior to the Russian revolution was ". . . an ironic turning of burgeois thought upon itself."[84] Sontag elsewhere has written an essay, "Thinking Against Oneself,"[85] which metaphorically reflects her action in this speech. The ironic, self-reflexive turn upon herself and her audience is suggested by the passage where she recounts her "suspiciousness" of Czelaw Miloaz' The Captive Mind. She confesses to regarding it as an "instrument of cold war propaganda" at the time of its publication (1953) and she now

regards it as "true . . . ." If anything, it "underestimate[s] the disgrace of the Communist regime installed by force in his country." But rather than viewing this "confession" as subjective self report, Sontag encourages her audience to accept this attitude as their own. Bruss argues that Sontag's use of the persistent first person does not require a narrowly autobiographical interpretation. She explains:

> . . . The adoption of the first person is necessary to gain access to the subject matter or domain of her theory, which is not really a set of artifacts, but the modes of perception and the climates of belief that these artifacts imply and further reinforce.[86]

Bruss adds:

> Sontag's disclosures are—or claim to be—also our disclosures, open avowals of what we are merely keeping to ourselves . . . . The 'we' seems genuinely felt, but given the discrepancies and inconsistencies of her audience . . . there are bound to be as many who feel themselves (unhypocritically) uncomfortable in the embrace of the writing as there are those who find themselves relieved and purged by it.[87]

To the extent Sontag's listeners felt as she did about reports such as Milosz' in the past, and feel as she feels/believes in the present, they are forced to confront the changing stance of their own attitudes towards the "truth." Burke's theory suggests that one way to expiate guilt is through mortification, or confession of one's own sins, followed by actual or symbolic punishment of them.[88] On the other hand, victimization is another strategy, requiring the guilty party to find and punish some person or object which represents their own guilt.[89] In Sontag's speech, this appears to be the collective group, the democratic Left. Listeners who preferred not to be so indicted might attempt to deny and differentiate themselves from her accusation. Indeed, many letter writers tried to do just that.[90] But those who recognize the "tactics of collective guilt," confirm the sense in which the dramatic





functioning of Sontag's rhetoric draws them into a "collective sensibility" which she so characteristically aims at.

The purgative aspect of her speech is accomplished through a ritualistic degradation ceremony. The devil character in this drama is Communism. Its "angelic language" Sontag characterizes as that of Lucifer. As a "god" term, presumably, among the democratic Left, Sontag turns Communism on its head and makes it a "devil" term. An old hierarchy in which fascism was located at the bottom, followed by capitalism, democratic socialism, and, finally, Communism, is torn down. In its place, Sontag's new hierarchy equates Communism with fascism, followed by capitalism, and is crowned, implicitly, by democratic socialism. This is accomplished by a dialectic of the scapegoat—Communism. Burke outlines its essential stages of development this way:

> (1) an initial stage of merger in that the iniquities are shared by both the iniquitous and their chosen vessel;
>
> (2) a principle of division, in that the elements shared in common are being ritualistically alienated;
>
> (3) a new principle of merger, this time in the unification of those whose purified identity is defined in dialectical opposition to the sacrificial offering.[91]

Burke explains that the scapegoat is the "essence of evil," the principle of discord felt by those who are to be purified by the sacrifice.[92] This illuminates Sontag's use of Satanic attributes for Communism. She attempts to effect an alienation and disaffection within the democratic Left for "familial" bonds. Unifying Communism with the Left's historic enemy, Fascism, she places them in dialectical opposition to the sacrifical offering. Using this familial naming strategy, she symbolically pulls <u>apart</u> that which her partisans potentially consider themselves to be <u>a part of</u>—sympathetic to Marxist ideology.[93] She attempts by negative reference to establish a new identity for her audience. Hence, by renaming the oppressor she signals a

means by which her audience can redeem themselves, through language, and be restored once again to a new hierarchy, purified of the principle of discord, and able to stand in solidarity with the oppressed as a liberated group seeking economic democracy.

A second naming strategy she employs is geometric or contextual.[94] This stresses placement of an object in its background. It involves principles of negation and consistency. The ambiguity of dialectic substance is clearly demonstrated here by her depiction of her audience as joining in a chorus of "virtuous indignation" over Poland, thereby signaling their identification with a thoroughly "mainstream" position, and a principle of negation, attempting to distinguish their voice in the process. What contributes to divisive interpretations of her speech is this strategy that crosses boundaries, behind enemy lines, so to speak. To contextualize or de-termine a thing, Burke says, is to mark its boundaries. To the extent that Sontag equates Communism with "utter villainy," "evil," dishonesty, coerciveness, and corruptness, calls it a failure, etc., she is setting it apart from what is heroic, good, honest, pure, successful, etc. In effect, she is redrawing the boundaries by which Communism is marked. Crossing boundaries can provoke anxiety in an audience that identifies with anyone of them. Her action makes it difficult, if impossible, for them to distinguish themselves from the enemy. Moreover, by blurring the distinctions between Communism and fascism, Sontag also erases another boundary by which the democratic Left can identify itself. Finally, by denying that the word "Marxist" applies either to the "ruling elite" or the "disaffected and enslaved" Polish people, she frustrates anyone in her audience who sought to retain such distinctions. If what the Left had called "fascism" was "the tyranny that can be overthrown," Sontag implies the oppressor in the current situation could also be overthrown, in similar





fashion: by attack from without. That is what the democratic Left is urged to do to express Solidarity with the "heroic Poles."

A third naming strategy is circumreferential.[95] Burke says, "The choice of circumference for the scene in terms of which a given act is located will have a corresponding effect upon the interpretation of the act itself."[96] Sontag's depiction of the scene of oppression and hypocrisy in Poland is widened to include the "entire economic and political leadership in capitalist Europe and North America." She argues that there are "obvious similarities" between the "draconian measures" in Poland to the "rightwing dictatorships in Chile, Argentina, and other South American countries." The hegemonic oppression of Communism/Fascism demands a denunciation everywhere its "human face" appears. At the same time, she attempts to get a lot of mileage out of reducing, narrowing, and circumscribing the essence of Communist practices to the immediate scene in Poland, arguing that the "fascist" practices of the Jaruizelski "junta" are infalliable signs of fascism which future coups d'etat will imitate. "The area spotlighted comes to be seen as the entire world, so that what seems like a circumference with wide scope is actually reduction to a very narrow one," Burke adds.[97] Listeners recognizing this reduction may interpret Sontag as overgeneralizing. Indeed, her arguing gave impetus to the search for counter-examples.[98]

Finally, Sontag's rhetoric reflects a fourth naming strategy, directional. This emphasizes "becoming" and "purposiveness" as opposed to "being" and "status."[99] A variation of directional naming is referring individual acts to some intellectual pattern or master idea dominating a period. The latter writer who heard Sontag "bespeaking the move from radical chic to conservative chic" aptly caught the sense of transition her evolving sensibility conveys. But he overlooked the modernist's aim to play the form of an idea off against

itself. By standing Communism on its head, by turning the principle of dialectical opposition back upon the democratic Left's record on Communism, Sontag invites partisan self-critique, not a sweeping conversion to right wing ideology in a conservative historical moment. Rather, perhaps to preserve a purified Marxism, or true democratic socialism, she seeks to redeem it from corrupt Communist practices. As she implied in her reply to critics, Communist practices no longer inspire or honor revolutionary moments to overthrow the coercive state, but instead seek to conserve the state, to maintain the status quo.[100]

The directional strategy is manifest another way in her rhetoric by her revisionist focus. Hence, her effort to redefine the nature of Communism is emphasized by her use of repetition. Repetition is often thought of as a rhetorical strategy dulling critical senses. Sontag employs repetition as a means of conferring value on an idea. It invites "re-experiencing" and she argues that it is a "means of insisting on something."[101] Indeed, she claims, it is "the perception of repetitions that make a work of art intelligible."[102] The revisionist focus is reflected in her re-reading of Milosz, and in her effort to force her partisans into reconsidering why, in the past, they tended to "bracket" émigrés reports of life in Communist countries. In this way she encourages them to rethink their habits of thought and the context and range of the interpretations their ideological piety invites.

Finally, another variation of the directional strategy is reflected in a watershed moment in her speech, the reduction of motive to acquired momentum.[103] A watershed moment is a sweeping view, permeating the present and remaking the past, indeed summarizing the past and anticipating the future. It is reflected in her insistence, repeatedly, that Communism has demonstrated by the Polish events, its "utter villainy." It is emphasized





in her claim:

> I repeat: not only is fascism (and overt military rule) the probable destiny of all Communist societies—especially when they are moved to revolt—but Communism is in itself a variant, the most successful variant of fascism. Fascism with a human face.

Thus, in her ongoing "quest for a consciousness purified of contaminated language,"[104] Sontag enjoins her audience to "rethink" its position, and "to abandon old and corrupt language." She seeks at once an emptying out and refilling of the void. She has written:

> A prerequisite of "emptying out" is to be able to see what one is "full of," what words and mechanical gestures one is stuffed with, like a doll; only then, in polar confrontation with the doll, does the "angel" appear, a figure representing an equally human though "higher" possibility, that of an entirely unmediated, translinguistic apprehension. Neither doll, nor angel, human beings remain situated within the kingdom of language.[105]

Relegated to the "kingdom of language," Sontag's audience may not apprehend the "angel" that appeared to her, focusing instead on Lucifer—the image of Communism she projects. While she sought to liberate their "captive" minds, and redeem their capacity to see, to feel, and to hear truth, they hear only the "devil" in Miss Sontag's voice. Hence, Sontag's impulse for provocation and over generalization may just have been subjected to a higher irony. Instead of sparking debate productive of renewal and redirection, her ostensibly abusive remarks evoke instead "an obligation to overthrow any means of defending or justifying art which becomes particularly obtuse or onerous or insensitive to contemporary needs and practice."[106] She advocated that long ago in her well-known essay, "Against Interpretation." She also has written, "In the end . . . the radical critique of consciousness always lays the blame on language."[107] Perhaps that explains why it was she, not her audience, who was inevitably the one to be staged that cold night at Town Hall.

Conclusions

This analysis leads to two conclusions. Seen from the perspective set forth, Sontag's speech loses its enigmatic quality and becomes a coherent rhetorical act that appropriately employed features of an unconventional rhetorical form—rhetoric of subversion. Interpreting her speech this way reflects enduring qualities in her corpus of rhetoric, her modernist orientation, and the sine qua non of understanding Susan Sontag: her ironic voice. It also helps one focus on and understand the way in which her rhetoric is functioning dramatically as opposed to trying to account for speaker intent. Meucke observes that irony may be used as a device to "enforce one's meaning," to "attack a point of view or to expose folly, hypocrisy, or vanity" and to "lead one's reader's to see that things are not so simple or certain as they seem to be . . . ."[108] But at the same time, it should be apparent from this analysis that irony does not work without considerable risk to the rhetor. S/he may be subjected to a higher irony:

> If [irony] seems to put the ironist at an altogether unfair advantage, it has to be observed that the ironist is equally vulnerable, for the very act of being ironical implies an assumption of superiority, an assumption that one cannot make without forgetting either that the tables may be turned or that one may be subject to irony from a higher level.[109]

A second conclusion is that use of subversive rhetorical form not only involves departure from conventional rhetorical practice, but also probably requires use of non-conventional criteria of evaluation—whether discourse succeeds in producing the exigence it seeks to create rather than whether discourse succeeds in resolving some pre-existing exigence.





AFTERWORD

If an ironic reversal of rhetorical forces had the potential to subvert Sontag's ends in speaking that cold night at Town Hall, her subsequent suit against the Soho News held the potential for still another reversal—the "chilling effect"[110] of a Court finding of copyright infringement against the weekly newspaper. Sontag sued for $50,000 because the paper printed nearly the entire text of her speech without her permission. She wanted her remarks to appear on the Op Ed page of the New York Times.[111] The Times declined to print the remarks because they contained "nothing new."[112]

In the absence of a Court finding of facts in the dispute, these are a known sequence of actions leading up to Sontag's suit. She delivered a version of "The Lesson of Poland" on February 6, 1982 at Town Hall from a written text. The press was invited to cover the event. WBAI, an educational broadcasting station, taped her remarks at the event, although it is unknown whether it was simultaneously broadcasting, thereby entering the public domain. Sontag, ostensibly, did not prohibit the taping. However, she did register the speech for copyright, February 11, 1982. The Soho News printed an unauthorized version of her remarks February 16, 1982. Prior to the event at Town Hall, the paper twice asked Sontag's permission to run the speech and twice she refused. Sontag subsequently used the Soho News on two counts:

> - . . . the newspaper, by printing her speech, infringed her exclusive rights as copyright owner of it.
>
> - . . . by recording or transcribing her speech, the defendants misappropriated her "performance rights." This is a violation, she says, of the "New York law of unfair competition."[113]

The suit also asked for "impoundment of all copies" of the Soho News February 16th edition containing her remarks. The action of the paper, she said, had made her speech "unmarketable" in the Times.[114]

Recognition of the potentially "nasty" consequences of her suit led Village Voice Columnist Nat Hentoff to chastize Sontag for "striving to protect property rights in a public speech about the spirit of freedom."[115] This was "not a recital of literary readings," he claimed, tacitly recognizing copyright protection for literary works.[116] Sontag, he said, "among many others gave a speech in a public forum about a public issue."[117] In Hentoff's view, it is "bad enough when public figures with no discernable understanding of the fragility of free-speech protections go after newspapers . . . [but] it's much worse when Sontag, described in her court papers as holding a 'preeminent position in American letters,' uses the courts to assault a newspaper that has annoyed her by actually running, rather than excerpting, what she said in a public meeting!"[118]

Hentoff noted that copyright experts were divided on the merits of Sontag's suit. Some said she had a case, "in that a newspaper could legally have quoted portions of the text under fair use and fair-comment doctrines--but not all of it."[119] Others said that Sontag, "being the chief newsmaker of this public event, could indeed be quoted in full without penalty."[120]

Copyright Law v. First Amendment

The Copyright Act of 1976 protects authors' writings embodied in tangible form whether or not they are published. The Act does not encompass performing artists' rights in unrecorded, live performances that are not fixed in any tangible medium of expression, except if they come within the scope of subject matter defined in Section 102 of the new Act. Hence, performers must resort to state law protection of aesthetic and commercial performance interests.[121] Moreover, Section 106 gives the Copyright owner the exclusive rights to reproduce the work, prepare derivative works, distribute copies, and perform or display the work in public.[122]





The new Act also specifically recognizes news reporting as a traditional form of "fair use."[123] But existing tensions between copyright protection of property rights in "original works of authorship" and First Amendment values of free speech and free press probably would have clashed in the Court decision in this case. Four factors are generally used to determine "fair use"[124] but the question of economic detriment to the copyright owner lies at the core of the deliberation. Associate Professor of Law Robert C. Denicola writes in a recent issue of the California Law Review, "much of copyright law rests on ephemeral distinctions and categories that invite flexible interpretation on a case-by-case basis."[125] In analyzing First Amendment issues, the Courts must make three determinations: 1) whether any protected expression in fact has been appropriated; 2) whether the use was necessary; and 3) if a sufficient degree of necessity is established, the extent of the permissible use must be determined. Primary focus must be on the necessity for use; "such factors as the public's interest in the subject matter or the public benefit derived from the defendant's contribution should not be elevated to independent significance."[126] Moreover, where First Amendment values of free speech and free press are privileged to defend the appropriation of the form of an author's expression, as opposed to his ideas, a distinction must be drawn between exploitation and necessity in the use of the copyrighted expression.[127] Finally, an overriding appeal to First Amendment privileges by the Soho News may not have pre-empted in this case application of the New York state law protecting Sontag's "performance rights."[128] In theory, this statute protects her from an unauthorized reproduction of her "live" performance and gives her the ability to choose who uses the creative product. However, a First Amendment defense of "newsworthiness" might limit recovery for infringement of the right of publicity, but this defense is subject to strict scrutiny.[129]

Tensions between the two Constitutional bases of property rights and free speech or free press have given rise to "a host of forseen and, inevitably, unforseen problems," Denicola observes.[130] As a result, not only are First Amendment challenges to the rights of copyright owners becoming more frequent, but "an issue of constitutional dimensions is slowly crystallizing in a series of judicial decisions."[131] Denicola favors the recognition of an independent First Amendment privilege where substantial use of copyrighted expression of another holds the potential to cause significant economic harm to the copyright owner. This would operate as an external limitation on the scope of proprietary interests established by copyright law, but he adds that in most cases where the issue has been argued, the courts have rejected such a First Amendment defense.[132]

Case Precedents

For example, the U.S. Supreme Court has recognized the existence of concurrent state protection for works not within the constitutional scope of copyright, specifically the ability of the state to protect live, unrecorded performances. In Zacchini v. Scripps-Howard Broadcasting Co. 433 U.S. 562 (1977), Zacchini recovered for "misappropriation" rather than violation of copyright infringement. The Court "held that a television station's appropriation of a performer's entire act for its news program was not within the scope of the first amendment privilege of freedom of the press. The performer, a human cannonball, obtained relief for the appropriation based on his right to the publicity value of his performance."[133] In making its decision, the Court recognized three factors as a function of right of publicity: 1) it protects an individual's interest in being compensated for past investments of time and effort and in providing an incentive to produce future performances worthy of public attention; 2) the real question in a right of publicity case is not





whether publication of the information will be minimized or eliminated, but rather which party ought to do the publishing. Recognizing a right to publicity would not seriously curtail public access to the performance. And 3) the plaintiff's right would not prevent the defendant from reporting the facts surrounding the plaintiff's act. Hence, in this case, the Court held that the intrusion on the free flow of information was minimal and the effect on free speech insubstantial.[134]

In Wainwright Securities, Inc. v. Wall Street Transcript Corporation 558 F.2d 91 (2d Cir. 1977), cert. denied, 434 U.S. 1013 (1978), a district court, later upheld by the Second Circuit Court, denied a weekly financial newspaper from publishing abstracts of copyrighted research reports. The defendants invoked both the fair use doctrine and the First Amendment against a claim of copyright infringement, arguing under the First Amendment, that its publication of the abstracts was constitutionally protected reporting of financial news. The district court denied the fair use defense on the ground that the use materially affected the value of plaintiff's copyrights. The Second Circuit court affirmed the finding and denied both fair use and First Amendment arguments.[135]

Finally, the U.S. District Court in the Southern District of New York ruled recently in Harper and Row v. Nation Enterprises No. 80 Civ. 0856 (1983), that the magazine's "unauthorized, for-profit, and extensive use of [a] former President's [Ford] copyrighted, soon-to-be-published memoirs, diminished the value of copyrighted material, and [was] not fair use, since content of the memoirs was not 'news.'"[136]

These precedents and others could have been brought to bear in Sontag's suit against the Soho News. On the other hand, several lines of argument could be used in defense of the paper's action. First, the Supreme Court has

repeatedly stated that First Amendment values of free speech and free press include the public's right both to speak and to receive information.[137] Denicola writes, "If prohibiting the challenged use is tantamount to prohibiting the production of a work that would further the public interest in the dissemination of information, the fair use balance [between amount and substantiality of use] tends toward permitting the appropriation.[138] Second, the event at which Sontag spoke was covered by invited media. Reporting the event might require access to not just her ideas but the form of her expression. Legislative history accompanying the new Copyright Act includes as an appropriate situation for invoking fair use defense, a summary of an address or article, with brief quotations, in a news report.[139] Third, the paper did not print the entire text of Sontag's remarks. Where the line is drawn would be a decision for the Court to make.[140] Fourth, proving significant economic harm to the value of Sontag's copyright may have been difficult, particularly if the paper's use of her expression was incomplete.[141]

Denicola says the distinction to be made is between exploitation and necessity in the use of copyrighted expression.[142] While a paper has the right to report on the contents of copyrighted material and to present its own views on the event to the public, the degree to which it makes use of the form of expression is at issue. If the paper appropriated so much of the copyrighted expression as to be, in effect, selling rather than reporting on the work, and it made no attempt to contribute any ideas of its own, its actions might not constitute "fair use." He observes, "Free speech considerations should operate to permit the use of expression only to the extent necessary to allow the users to make their own contributions to the marketplace of ideas."[144]

A recent follow-up conversation with Hentoff disclosed that the Soho News has since gone out of business, due to an inability to attract sufficient





advertising. He also said Sontag has since withdrawn her suit, but "there is no causal relationship." Asked why she withdrew the suit, Hentoff commented, "she probably was embarrassed by the publicity." He added that there was a good possibility the suit would have been tried by the same judge who ruled in the Harper and Row v. Nation case.

Notes

[1]Susan Sontag, "Against Interpretation," Against Interpretation and Other Essays (New York: Dell Publishing Company, 1969), p. 7.

[2]An archaic term for the gallows was the "stage." The phrase "to be staged" once meant to be subjected to public punishment accompanied by public vilification. See Conor Cruise O'Brien, "Politics as Drama as Politics," New Review (Summer 1968), p. 1.

[3]Dierdre English, "Linked in Limbo," Mother Jones, July 1982, p. 3.

[4]"Seeing Red: Sontag Shakes up the Left," Time 15 Mar. 1982, p. 19.

[5]"Communism and the Left," Editor's note, The Nation, 27 Feb. 1982, p. 229.

[6]Karla Vallance, "Debate stirs again: should US snoop on radical groups?" The Christian Science Monitor, 17 Mar. 1982, p. 4.

[7]Susan Sontag, "Lesson of Poland," The Nation, 27 Feb. 1982, p. 231.

[8]Nat Hentoff, "The Authorized Sontag v. That 'Dreadful' Soho Rag," Village Voice, 16 Mar. 1982, p. 4.

[9]Vallance, p. 4.

[10]Bruce Cumings, "Letters," The Nation, 27 Mar. 1982, p. 354.

[11]Diana Trilling, "Comments," The Nation, 27 Feb. 1982, p. 232.

[12]Time, p. 19.

[13]Philip Pochoda, "Comments," The Nation, 27 Feb. 1982, p. 236.

[14]See Philip Green, "Comments," The Nation, p. 236.

[15]David Hollinger, "Comments," p. 235.

[16]Daniel Singer, "Comments," p. 234.

[17]Ralph Schoeneman, "Letters," The Nation, 27 Mar. 1982, p. 290.





[18]Schoeneman, Time, 15 Mar. 1982, p. 19.

[19]Joseph Brodsky, "Letters," 27 Mar. 1982, p. 354.

[20]Webster's Seventh New Collegiate Dictionary defines "conundrum" as "a riddle whose answer is or involves a pun; a question or problem having only a conjectural answer; an intricate and difficult problem. Syn. a mystery." My thanks to David L. Swanson for suggesting the use of the term.

[21]Benjamin Demott, "Susan Sontag, To Outrage and Back," The Atlantic, Nov. 1978, pp. 96-99.

[22]Elizabeth Bruss, "Susan Sontag," Beautiful Theories (Baltimore: Johns Hopkins University Press, 1982), p. 222.

[23]Susan Sontag, Against Interpretation, (New York, 1966 rpt. ed. New York: Dell Publishing Company, 1969).

[24]_____, Styles of Radical Will (New York: Dell Publishing Company, 1968).

[25]_____, in Styles of Radical Will, pp. 204-274.

[26]_____, in Under the Sign of Saturn (New York: Farrar, Straus, and Giroux, 1980), pp. 73-105.

[27]Benjamin Demott, p. 96.

[28]Susan Sontag, quoted in "Women, The Arts, and the Politics of Culture," Salmagundi, Nos. 31-32 (1975-76), pp. 39-40.

[29]Demott, pp. 96-99.

[30]Charles Raus, "Susan Sontag: Past, Present, and Future," The New York Times Book Review, 24 Oct. 1982, p. 11.

[31]Stanley Aronowitz, "Opposites Detract: Sontag versus Barthes for Barthes Sake," Village Voice Literary Supplement, Nov. 1982, p. 13.

[32]Aronowitz, p. 14.

[33]Walter Kendrick, "In a Gulf of her Own," The Nation, 23 Oct. 1982, p. 404.

[34]Sontag, "Reply," The Nation, 27 Feb. 1982, p. 238.

[35]Sontag, "Trip to Hanoi," p. 271.

[36]Sontag, "Reply," p. 238.

[37]Time, p. 19.

[38]Sontag, "Trip to Hanoi," pp. 262, 223.

[39]Raus, p. 11.

[40]Sontag, "Approaching Artaud," in Under the Sign of Saturn, pp. 16-17.

[41]Peter Faulkner, Modernism, No. 35 in series The Critical Idiom, ed. John D. Jump (London: Metheun and Co., Ltd., 1977), p. 31. See also William Barrett's discussion of modernism's elusive definition and themes in The Truants (Garden City, NY: Doubleday, 1982), pp. 179-183.

[42]Faulkner, p. 32.

[43]Faulkner, p. 33 quotes Gombrich.

[44]Faulkner, pp. 12-65, passim.

[45]Cary Nelson, "Soliciting Self-Knowledge: The Rhetoric of Susan Sontag's Criticism," Critical Inquiry, 6, No. 4 (Summer 1980), p. 718.

[46]Sontag, On Photography (New York: Dell Publishing Company, 1977), p. 127.

[47]"Communism and the Left," Editor's note, The Nation, 27 Feb. 1982, p. 229.

[48]Sontag, quoted in Raus, p. 11.

[49]"Communism and the Left," Editor's note, The Nation, p. 229.

[50]Hentoff, Village Voice, p. 4.

[51]All subsequent quotes of Sontag's speech are taken from her authorized version published in The Nation, 27 Feb. 1982, pp. 230-231.





[52]See Walter Fisher, "A Motive View of Communication," Quarterly Journal of Speech 56 (April 1970), 131-39.

[53]Fisher, p. 138.

[54]Fisher, p. 138.

[55]Fisher, p. 138, quotes Richard Hofstadter, The Paranoid Style in American Politics and Other Essays (New York: Knopf, 1965) p. 9. Hofstadter found the subversive style "in the anti-Masonic movement, the nativist and anti-Catholic movement, in certain spokesman for abolitionism . . . , in many writers alarmed by Mormonism, in some Greenback and Populist writers . . . , in the exposure of a munitions makers' conspiracy of the First World War, in the popular left-wing press, in the contemporary American right-wing, and on both sides of the race controversy today."

[56]Sontag, "Aesthetics of Silence," in Styles of Radical Will, p. 19.

[57]Bruss, p. 242.

[58]Sontag, "Reply," The Nation, p. 238.

[59]Sontag, "Syberberg's Hitler," in Under the Sign of Saturn, p. 150.

[60]"Poland's Revolution," Editorial, The New Republic 4 & 11 Aug. 1981, p. 10.

[61]Sontag, "Reply," p. 238.

[62]Sontag, "Aesthetics of Silence," p. 15.

[63]D. C. Meucke, The Compass of Irony, (London: Metheun & Company, Ltd., 1969), p. 99.

[64]Kenneth Burke, Grammar of Motives, (Berkeley: University of California Press, 1969), p. 514.

[65]Susan Sontag, "Some Thoughts on the Right Way (For Us) to love the Cuban Revolution," Ramparts (1969), quoted in Richard Grenier, "The Conversion of Susan Sontag, Ideological Haute Couture," The New Republic, April 14, 1982,

p. 15. She wrote, "To us, it is self-evident that the Reader's Digest and Lawrence Welk and Hilton Hotels are organically connected with the Special Forces napalming villages in Guatemala . . . ." The ostensible attitude here contradicts an interpretation that she's advocating a subscription to the Reader's Digest in her Poland speech.

[66] See Sontag's "Reply," The Nation, p. 238.

[67] Nelson, p. 718.

[68] David Kaufer, "Irony and Rhetorical Strategy," Philosophy and Rhetoric, 10 (Spring 1977), p. 92.

[69] Kaufer, p. 104

[70] Kaufer, pp. 95-96.

[71] Kaufer, p. 104.

[72] Bernard Brock, "Rhetorical Criticism: A Burkeian Approach," Methods of Rhetorical Criticsm (New York: Harper and Row, 1972), pp. 323-324.

[73] Weldon B. Durham, "Kenneth Burke's Concept of Substance," Quarterly Journal of Speech 66 (December 1980), p. 355.

[74] Kenneth Burke, Grammar of Motives, pp. 33-34.

[75] Durham, p. 356.

[76] Sontag, "Reply," p. 238.

[77] Sontag, On Photography, p. 19.

[78] Sontag, "Aesthetics of Silence," pp. 22-25.

[79] Bruss, p. 227.

[80] Sontag, "Aesthetics of Silence," p. 24.

[81] Bruss, p. 230.

[82] Burke, p. 469.

[83] See Sontag, "Theatre and Film," "Persona," and the essay on Godard in Styles of Radical Will.





[84] Burke, p. 210.

[85] Sontag, "Thinking Against Oneself: Reflections on Cioran," in Styles of Radical Will, pp. 74-98.

[86] Bruss, p. 257.

[87] Bruss, p. 234.

[88] Barry Brummett, "Burkean Scapegoating, Mortification and Transcendence in Presidential Campaign Rhetoric," Central States Speech Journal, 32 (Winter, 1981), p. 256.

[89] Brummett, p. 256.

[90] See Green, Hollinger, Pochoda, "Comments," The Nation, 27 Feb. 1982, pp. 231-237.

[91] Burke, p. 406.

[92] Burke, p. 356.

[93] Burke, p. 26.

[94] Durham, p. 357.

[95] Durham, p. 357.

[96] Burke, p. 77.

[97] Burke, p. 90.

[98] See Bruce Cumings, "Letters," The Nation, 27 Mar. 1982, p. 354.

[99] Durham, p. 357.

[100] Sontag, "Reply," The Nation, p. 238.

[101] Sontag, "Aesthetics of Silence," p. 35.

[102] Sontag, "On Style," in Against Interpretation, p. 35.

[103] Durham, p. 357.

[104] Sontag, Styles of Radical Will, p. 22.

[105] Sontag, "Aesthetics of Silence," p. 24.

[106]Sontag, "Against Interpretation," p. 5.

[107]Sontag, "Aesthetics of Silence," p. 23.

[108]Muecke, pp. 232-233.

[109]Muecke, p. 29.

[110]See Nentoff, p. 4.

[111]Nentoff, p. 4.

[112]Follow-up conversation with former Op Ed Editor Charlotte Curtis of the New York Times, June 30, 1983.

[113]Nentoff, p. 4.

[114]Nentoff, p. 4.

[115]Nentoff, p. 4.

[116]Nentoff, p. 4.

[117]Nentoff, p. 4.

[118]Nentoff, p. 4.

[119]Nentoff, p. 4.

[120]Nentoff, p. 4.

[121]Amy R. Meltzer, "Notes, A New Approach to An Entertainer's Right of Performance," Washington University Law Quarterly (St. Louis) 59 (1982), pp. 1269, 1273.

[122]Robert C. Denicola, "Copyright and Free Speech: Constitutional Limitations on the Protection of Expression," California Law Review 67 (1979), p. 285.

[123]Denicola says that fair use can operate as a defense even when there has been a substantial appropriation of expression (p. 294). He also notes, "The Register of Copyright provides the following definition: 'That term [fair use] eludes precise definition; broadly speaking, it means that a reasonable portion of a copyrighted work may be reproduced without permission





when necessary for a legitimate purpose which is not competitive with the copyright owner's market for his work.' House Comm. on the Judiciary, 87th Cong., 1st Sess., Copyright Law Revision, Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law 24."

[124]17 U.S.C. app. § 107 (1976). In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include—(1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; (2) the nature of the copyrighted work; (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and (4) the effect of the use upon the potential market for or value of the copyrighted work.

[125]Denicola, p. 315.

[126]Denicola, p. 315.

[127]Denicola, p. 127.

[128]Meltzer, p. 1276.

[129] Meltzer, p. 1288. See Denicola's comments on whether constitutional limitations on copyright protection should vary according to the "newsworthiness" of the topic or value of the user's contribution, p. 313.

[130]Denicola, p. 283.

[131]Denicola, p. 283.

[132]Denicola, p. 304.

[133]Meltzer, p. 1288.

[134]Denicola, p. 288.

[135]Denicola, pp. 310-11.

[136]Harper & Row v. Nation, 9 Media Law Reporter 1229 (1983).

[137]Denicola, p. 285.

[138]Denicola, p. 297.

[139]Denicola, p. 298.

[140]Denicola, p. 288.

[141]Denicola, p. 312.

[142]Denicola, p. 312.

[143]Denicola, p. 312.

[144]Denicola, p. 309.

[145]Follow-up conversation with Nat Hentoff, June 21, 1983.